

2-182226 10 28 9581

25 April 1955

OGC Has Reviewed

MEMORANDUM FOR: EE/ADMIN

SUBJECT : Compensatory Time Off

1. This is in response to your memorandum of 8 April, subject "Compensatory Time Off", in which you request our opinion concerning the phrase "field installation" as that term is used in paragraph 4-h of [] (which supersedes paragraph 4-d of [] Change 3, dated 7 June 1954). Specifically, you state that the phrase is being interpreted so as to prevent field employees from taking compensatory leave enroute to the United States after completing a tour of duty. You regard this interpretation as unrealistic and would hope we could construe the phrase "field installation" to permit overseas employees to take compensatory leave after departing their field station on permanent change of station orders and before arriving at their destination.

2. The pertinent portion of paragraph 4-h reads as follows:

"Compensatory time off shall be scheduled to be taken as soon as practicable (generally within 90 days) after it has been earned but not later than the date the employee departs from the field installation on permanent change of station or home-leave orders, or forfeiture will result; .

We see no way to construe this language in the manner requested. On the other hand, we find nothing in law which would prevent this Agency from modifying this requirement by appropriate change in the Notice. If satisfactory to the appropriate policy elements in the Agency, the following language might be substituted:

"Compensatory time off shall be scheduled to be taken as soon as practicable (generally within 90 days) after it has been earned and, in any event, not later than the date the employee returns to his permanent duty station or arrives at his new one, as the case may be, or forfeiture will result; .

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Office of General Counsel

OGC:RHL:ss

Distribution

Subject

Signer

Chrono

Orig. & 1 - Addressee